

1 Gary S. Lincenberg – State Bar No. 123058
glinenberg@birdmarella.com
2 Ariel A. Neuman – State Bar No. 241594
aneuman@birdmarella.com
3 Gopi K. Panchapakesan – State Bar No. 279586
gpanchapakesan@birdmarella.com

4 BIRD, MARELLA, BOXER, WOLPERT, NESSIM,
DROOKS, LINCENBERG & RHOW, P.C.
5 1875 Century Park East, 23rd Floor
Los Angeles, California 90067-2561
6 Telephone: (310) 201-2100
Facsimile: (310) 201-2110

7 Attorneys for John Brunst

Lodged Propose Order

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11
12 **In the Matter of the Seizure of:**

13 [REDACTED] ds held in [REDACTED]
14 [REDACTED] Account([REDACTED] 1889,
15 xxxx2500. 1938, xxxx2912, and

CASE NO. 2:18-cv-6742-RGK (MMAx)
18-MJ-00722-PJW

[Related to Case Nos. 18-MJ-00712,
18-MJ-00713, 18-MJ-00715,
18-MJ-00716, 18-MJ-00718,
18-MJ-00719, 18-MJ-00720,
18-MJ-00721, 18-MJ-00723,
18-MJ-00724, 18-MJ-00751,
18-MJ-00797, 18-MJ-00798,
18-MJ-00996, 18-MJ-00997,
18-MJ-01427, and 18-MJ-01863]

18 **JOHN BRUNST'S JOINDER IN**
19 **JAMES LARKIN'S MOTION TO**
20 **VACATE OR MODIFY SEIZURE**
21 **WARRANTS**

22 *[Filed concurrently with [Proposed]*
23 *Order]*

24 Date: August 29, 2018
Time: 1:30 P.M.
Crtrm.: 790

25 Assigned to Hon. R. Gary Klausner

1 TO THE COURT AND ALL COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT John Brunst, by and through his counsel,
 3 will and hereby does join in James Larkin's Motion to Vacate or Modify Seizure
 4 Warrants (the "Motion") filed in the above-captioned action, and adopts all of the
 5 positions set forth in the Motion as if fully set forth herein. Counsel understands
 6 that Mr. Brunst's cases, together with several other related cases, have been
 7 consolidated by Judge Walsh given the numerous overlapping and related issues.
 8 The seizures in each of these cases were issued out of this Court, stem from the
 9 same underlying allegations, and relate to the same set of individuals.

10 Mr. Brunst holds an interest in the assets that were seized in Related Case
 11 Nos. 2:18-MJ-00715, 2:18-MJ-00798, and 2:18-MJ-01863. *See* Exh. A (Declaration
 12 of John Brunst).¹ Mr. Brunst therefore joins in the Motion as to the assets seized in
 13 Related Case Nos. 2:18-MJ-00715, 2:18-MJ-00798, and 2:18-MJ-01863,
 14 specifically:

- 15 • [REDACTED] Account No. xx3825;
- 16 • [REDACTED] Account No. xx3873;
- 17 • [REDACTED] Account No. xx4862;
- 18 • [REDACTED] Account No. xx6878;
- 19 • [REDACTED] Account No. xx4954;
- 20 • [REDACTED] Account No. xx0582;
- 21 • [REDACTED] Account No. xx7892;
- 22 • [REDACTED] Account No. xx7889;
- 23 • [REDACTED] Account No. xx7888; and
- 24 • [REDACTED] Account No. xx6485.

25 Mr. Brunst joins in the Motion because he is "so similarly situated [to Mr.

26
 27 _____
 28 ¹ Mr. Brunst's Declaration, which was also filed in support of the Motion,
 identifies the seized bank and brokerage accounts in which he holds an interest.

1 Gary S. Lincenberg – State Bar No. 123058
glinenberg@birdmarella.com
2 Ariel A. Neuman – State Bar No. 241594
aneuman@birdmarella.com
3 Gopi K. Panchapakesan – State Bar No. 279586
gpanchapakesan@birdmarella.com
4 BIRD, MARELLA, BOXER, WOLPERT, NESSIM,
DROOKS, LINCENBERG & RHOW, P.C.
5 1875 Century Park East, 23rd Floor
Los Angeles, California 90067-2561
6 Telephone: (310) 201-2100
Facsimile: (310) 201-2110

7 Attorneys for John Brunst
8

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11
12 **In the Matter of the Seizure of:**

13 [REDACTED] ds held in [REDACTED]
14 [REDACTED] Account([REDACTED] 1889,
15 xxxx2500. 1938, xxxx2912, and
16
17
18
19
20
21
22
23
24
25
26
27
28

CASE NO. 2:18-cv-6742-RGK (MMAx)
18-MJ-00722-PJW

[Related to Case Nos. 18-MJ-00712,
18-MJ-00713, 18-MJ-00715,
18-MJ-00716, 18-MJ-00718,
18-MJ-00719, 18-MJ-00720,
18-MJ-00721, 18-MJ-00723,
18-MJ-00724, 18-MJ-00751,
18-MJ-00797, 18-MJ-00798,
18-MJ-00996, 18-MJ-00997,
18-MJ-01427, and 18-MJ-01863]

**JOHN BRUNST'S JOINDER IN
JAMES LARKIN'S MOTION TO
VACATE OR MODIFY SEIZURE
WARRANTS**

*[Filed concurrently with [Proposed]
Order]*

Date: August 29, 2018
Time: 1:30 P.M.
Crtrm.: 790

Assigned to Hon. R. Gary Klausner

1 TO THE COURT AND ALL COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT John Brunst, by and through his counsel,
3 will and hereby does join in James Larkin's Motion to Vacate or Modify Seizure
4 Warrants (the "Motion") filed in the above-captioned action, and adopts all of the
5 positions set forth in the Motion as if fully set forth herein. Counsel understands
6 that Mr. Brunst's cases, together with several other related cases, have been
7 consolidated by Judge Walsh given the numerous overlapping and related issues.
8 The seizures in each of these cases were issued out of this Court, stem from the
9 same underlying allegations, and relate to the same set of individuals.

10 Mr. Brunst holds an interest in the assets that were seized in Related Case
11 Nos. 2:18-MJ-00715, 2:18-MJ-00798, and 2:18-MJ-01863. *See* Exh. A (Declaration
12 of John Brunst).¹ Mr. Brunst therefore joins in the Motion as to the assets seized in
13 Related Case Nos. 2:18-MJ-00715, 2:18-MJ-00798, and 2:18-MJ-01863,
14 specifically:

- 15 • [REDACTED] Account No. xx3825;
- 16 • [REDACTED] Account No. xx3873;
- 17 • [REDACTED] Account No. xx4862;
- 18 • [REDACTED] Account No. xx6878;
- 19 • [REDACTED] Account No. xx4954;
- 20 • [REDACTED] Account No. xx0582;
- 21 • [REDACTED] Account No. xx7892;
- 22 • [REDACTED] Account No. xx7889;
- 23 • [REDACTED] Account No. xx7888; and
- 24 • [REDACTED] Account No. xx6485.

25 Mr. Brunst joins in the Motion because he is "so similarly situated [to Mr.

26
27
28 ¹ Mr. Brunst's Declaration, which was also filed in support of the Motion,
identifies the seized bank and brokerage accounts in which he holds an interest.

1 Larkin] that filing an independent motion would be redundant.” *Tatung Co., Ltd. v.*
 2 *Shu Tze Hsu*, 217 F. Supp. 3d 1138, 1151 (C.D. Cal. 2016). The purported basis for
 3 the seizures of Mr. Larkin’s accounts are identical to the purported basis for the
 4 seizures of Mr. Brunst’s accounts, namely that the funds held in their accounts
 5 derived from revenues from Backpage.com advertisements that allegedly solicited
 6 prostitution. The Motion raises issues that are directly relevant to and overlap with
 7 the seizures of Mr. Brunst’s assets. All of the arguments made in the Motion
 8 therefore apply with equal force to the seizure warrants issued against the assets in
 9 which Mr. Brunst holds an interest.

10
 11 DATED: August 6, 2018

Respectfully submitted,

12 Gary S. Lincenberg
 13 Ariel A. Neuman
 14 Gopi K. Panchapakesan
 15 Bird, Marella, Boxer, Wolpert, Nessim,
 16 Drooks, Lincenberg & Rhow, P.C.

17
 18 By: /s/ Gary S. Lincenberg
 19 Gary S. Lincenberg
 20 Attorneys for John Brunst
 21
 22
 23
 24
 25
 26
 27
 28

EXHIBIT A

DECLARATION OF JOHN BRUNST

I, John Brunst, declare as follows:

1. I am an individual over the age of eighteen. I submit this declaration based upon my own personal knowledge and, if called as a witness, could and would competently testify thereto under oath.

2. I submit this declaration in support of the *Notice of Motion and Motion to Vacate or Modify Seizure Warrants* (the “Motion”) with which this declaration is being concurrently filed.


3. I am a legal and/or beneficial owner of, or hold a direct or indirect interest in, the following assets and their contents (collectively, the “Subject Assets”):

- a. [REDACTED] account number ending in xx3825;
- b. [REDACTED] account number ending in xx6878;
- c. [REDACTED] account number ending in xx4954;
- d. [REDACTED] account number ending in xx7892;
- e. [REDACTED] account number ending in xx7889;
- f. [REDACTED] account number ending in xx7888;
- g. [REDACTED] account number ending in xx6485;
- h. [REDACTED] account number ending in xx0582;
- i. [REDACTED] account number ending in xx3873; and
- j. [REDACTED] account number ending in xx4862.

4. I did not give permission or otherwise consent to the government’s seizure of the Subject Assets.

5. I join in and consent to the request in the Motion to consolidate the related cases identified in the caption of the Motion and in the separately filed Notice of Related Cases.

1 I swear under penalty of perjury of the laws of the United States of America that the
2 foregoing is true and correct. Executed this 30 day of July, 2018 in Phoenix, Arizona.

3
4 
5 _____
6 John Brunst

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
435617-1